

## *Planning Commission Minutes*

The City of Sturgis Planning Commission held a regular meeting on Tuesday, December 6, 2016 at 5:30 p.m. in the front conference room at Sturgis City Hall, 1040 Harley-Davidson Way, Sturgis SD.

Present: Commissioners Hughes, Gerberding, Olson, Mack and Monahan.  
Staff: Planning Coordinator, City Manager and Code Enforcement Officer  
Council Representatives: Mike Bachand and Rhea Crane

5:30 Call to order by Chairman Judy Hughes

The Commission approved the Minutes from the November 1, 2016 meeting.

### **1. Plat – Gary Lippold/Sturgis Dragway**

Re-plat of Tract A Revised of Sturgis Dragway Subdivision. Outside City limits, within the three-mile platting jurisdiction. Shanon Vasknetz from Baseline Surveying was present to answer questions about the plat. Following review, a motion to recommend approval was made by Gerberding, 2<sup>nd</sup> by Mack. All present voting Yes on the motion.

### **2. Variance – MHI Investments, LLC**

Request for an 8' 9" variance to the east side setback for an open-sided structure at 1423 Main Street. A representative from MHI was present to answer questions. Discussion included the other structures present at this site which are also non-compliant with setbacks. Those structures were constructed prior to current zoning ordinances and are grandfathered in. The applicant stated it would be difficult to move the building due to the legs being cut so the carport would be level at this exact location. There was no neighbor opposition. Gerberding moved to recommend approval, 2<sup>nd</sup> by Monahan and all present voting Yes to the motion. The failure to obtain a building permit by the applicant will be dealt with by Code Enforcement as a separate issue.

### **3. Variance – Scott Sabers**

Request for setback variances to property within the Highway Service Zone at 2327 Junction. The applicant was present to answer questions and shared renderings of what the building will look like. Discussion included an access easement on property located to the south of the property as well as parking limitations. Mr. Wilson spoke on behalf of property owners immediately to the north and south who are opposed due to lack of access and parking. Mr. Sabers explained this access has been used for many years and he has had no discussions with those property owners as to a problem using the easement. The City Manager stated there is a good possibility that the City ROW in that location could be leased for additional parking. Considering there is no change to the building footprint, a

motion to recommend approval of the variance request was made by Mack, 2<sup>nd</sup> by Gerberding. All present voting Yes on the motion. Any issues with parking or staging of construction crews will need to be dealt with by the applicant and the neighboring property owners. Those issues are not the responsibility of the Planning & Zoning Commission.

#### **4. Use on Review – Brandy Nikkila**

Request for a Use on Review to operate an in-home daycare at 2020 and 2030 Park Avenue. On September 19, 2016, the Sturgis City Council granted a 90 day Use on Review to the applicant. The 90 day time frame is now expiring and the applicant is applying for a one-year use on review. City staff sent written notifications to neighbors within 200' of the property asking for input. No input was received. One of the neighbors who originally was in opposition was present to state her support for the new daycare provider and stated that previous issues have been resolved. The Code Inspection Officer reported making several site visits with no code violations found. With the applicant having provided proof of insurance and no opposition found, a motion to recommend approval was made by Monahan, 2<sup>nd</sup> by Olson. All present voting Yes to the motion.

#### **5. Review of Active Use on Review for Dana Morris-Dietz**

This is a review of a current UOR for an in-home daycare at 1913 Sunset Street. The original UOR was granted in 2012 and has not had a review since that time. The review is due to a complaint on the operator from August 26, 2016. The daycare operator was present to answer questions. Several of the daycare clients were also present including the mother of the two children who left the premise resulting in the complaint. The applicant has made several changes that were requested by the Department of Social Services (DSS) including the addition of new locks on the gate. DSS implemented a Corrective Action review for this facility which will be complete on April 30, 2017. At this time, the Commission requested no further action on this review.

No other matters came before the Planning & Zoning Commission. Meeting adjourned at 6:25 pm.

*Minutes are not considered official until approved by the Planning Commission.*